

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-326-C**

IN RE:

Analysis of Continued Availability of Unbundled)
Local Switching for Mass Market Customers)
Pursuant to the Federal Communications)
Commission's Triennial Review Order)
_____)

SURREBUTTAL TESTIMONY OF MARK DAVID VAN DE WATER

ON BEHALF OF

AT&T COMMUNICATIONS OF THE SOUTHERN STATES, LLC

MARCH 31, 2004

PUBLIC VERSION

1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2 A. My name is Mark David Van de Water. My business address is 7300 East
3 Hampton Avenue, Room 1102, Mesa, AZ 85208-3373.

4 **Q. ARE YOU THE SAME MARK DAVID VAN DE WATER WHO**
5 **PREVIOUSLY FILED DIRECT TESTIMONY IN THIS DOCKET ON**
6 **JANUARY 29, 2004, AND REBUTTAL ON MARCH 12, 2004?**

7 A. Yes, I am.

8 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

9 A. My Surrebuttal testimony responds to portions of the rebuttal testimony of
10 BellSouth's witnesses Ken L. Ainsworth, Alfred A. Heartley, Ronald M. Pate,
11 Kathy Blake, Eric Fogle, and A. Wayne Gray.

12 **Testimony of BellSouth Witness Ken Ainsworth**

13 **Q. ON PAGE EIGHT OF HIS TESTIMONY, MR. AINSWORTH RESPONDS**
14 **TO TWO OF AT&T'S CONCERNS REGARDING BELL SOUTH'S**
15 **BATCH PROCESS: (1) THAT THE PROCESS DOES NOT ALLOW**
16 **AFTER HOURS CUTS, AND (2) THAT THE PROCESS DOES NOT**
17 **INSURE THAT ALL END USER'S LINES WOULD BE PROVISIONED**
18 **ON THE SAME DAY. DOES MR. AINSWORTH'S RESPONSE**
19 **ALLEVIATE YOUR CONCERNS?**

20 A. No. For example, although Mr. Ainsworth states that BellSouth has agreed to
21 provide after hours cuts, the information provided in Mr. Ainsworth's Rebuttal
22 Exhibit KLA-8 indicates numerous restrictions. For example; batch sizes are too
23 small or undefined for nights and weekends, loop types which can be included are
24 restricted, and certain time-slots are excluded. Further, although he claims that he

1 has alleviated AT&T's concerns that all of an end users lines would be
2 provisioned on the same day, he has not. Indeed, a careful reading of lines
3 seventeen through twenty on page eight reveals that BellSouth still has not agreed
4 to migrate all end-user's lines on the same day.

5 **Q. ON PAGE NINE OF HIS TESTIMONY, MR. AINSWORTH**
6 **REFERENCES A WEB BASED SCHEDULING TOOL. HAS MR.**
7 **AINSWORTH SUBMITTED A CHANGE REQUEST OR**
8 **COLLABORATED WITH THE COMPETITIVE LOCAL EXCHANGE**
9 **CARRIERS ("CLECS") ON THE SPECIFICS OF THIS PROMISED**
10 **OFFERING?**

11 A. No. Until the CLECs know more about this tool, it is, of course, impossible to
12 know if it will be adequate to meet their needs. AT&T recommends that the
13 Commission order BellSouth to provide an electronic scheduling tool that advises,
14 in increments of one hour, of batch availability. For example, the tool would
15 advise that 8-9 a.m. March 01, 2004 is available.

16 **Q. ON PAGE FIFTEEN OF HIS TESTIMONY, MR. AINSWORTH ASSERTS**
17 **THAT BELL SOUTH DOES HAVE A TIMELY PROCESS FOR**
18 **RESTORAL OF CUSTOMER SERVICES. DO YOU AGREE?**

19 A. No. Mr. Ainsworth states that BellSouth has updated its UNE-P to UNE-L Bulk
20 Migration Process to document the restoral process. However, the described
21 process has no timeframes for completion. Other Incumbent Local Exchange
22 Carriers ('ILECs'), such as SBC, are much more responsive to this customer-
23 impacting issue. AT&T recommends that the Commission order the following
24 requirements: If an individual cut in a batch fails, and the number has not been
25 ported, the ILEC should restore the service in one hour. For numbers that have

1 been ported, the interval for restoring the customer's service should not exceed 4
2 hours.

3 **Q. ON PAGE TWENTY-FOUR OF HIS TESTIMONY, MR. AINSWORTH**
4 **NOTES THAT BELL SOUTH HAS AGREED TO REDUCE D THE 14 DAY**
5 **PROVISIONING INTERVAL TO 8 DAYS. PLEASE COMMENT.**

6 **A.** BellSouth's offer is insufficient. The interval to confirm a CLEC's request for a
7 batch and provide the batch ID should be one day, and the interval from Local
8 Service Request ("LSR") submission to completion should be no more than four
9 days¹. This, of course, is still not at the required level of parity with Unbundled
10 Network Element-Platform ("UNE-P"), but as I indicated in my direct testimony,
11 no manual process, including a manual batch process, is capable of eliminating
12 impairment.

13 **Q. ON PAGE TWENTY-TWO OF HIS TESTIMONY, MR. AINSWORTH**
14 **ALLEGES THAT YOUR PREMISE THAT THE MANUAL HOT CUT**
15 **PROCESS IS INHERENTLY INCAPABLE OF SUSTAINING VOLUMES**
16 **NECESSARY TO SUPPORT UNBUNDLED NETWORK ELEMENT-**
17 **LOOPS ("UNE-L") IS NOT IN "ACCORD" WITH THE TRIENNIAL**
18 **REVIEW ORDER ("TRO"). DO YOU AGREE?**

19 **A.** Absolutely not. I refer Mr. Ainsworth specifically to Paragraph 469 of the TRO
20 which states "...rather the issue identified in the record is an inherent limitation in
21 the number of manual cutovers that can be performed, which poses a barrier to
22 entry that is likely to make entry into a market uneconomic."

23 **Q. ON PAGE TWENTY-FOUR OF HIS TESTIMONY, MR. AINSWORTH**
24 **LISTS SEVERAL PROPOSED CHANGES TO BELL SOUTH'S BATCH**

¹ Indeed, Mr. Ainsworth states on page 18 of his testimony that "BellSouth's intervals for individual hot cuts range from 3-4 days..."

ORDERING PROCESS FILED IN ITS DIRECT TESTIMONY. PLEASE COMMENT.

A. Because BellSouth has chosen to respond to some CLEC concerns in this docket, rather than through their request in operational channels for a workshop or collaborative, the information provided by BellSouth is in many cases too sketchy to fully evaluate.² Additionally, I have responded to some of these proposals earlier in this testimony. Further, attached as Exhibit MDV-SR1, is AT&T's assessment of how BellSouth's three offerings (one in Ainsworth and Pate direct, one in Ainsworth rebuttal and another in McElroy's rebuttal) compare to AT&T's recommendations for a batch hot cut process. As is evident in the attached exhibit, there are numerous areas that are simply not addressed, others where BellSouth's proposals are inadequate, and still other cases where sufficient information is simply not available. AT&T urges the Commission to order the batch hot cut process it proposes. While not eliminating impairment, AT&T's recommendation would make much needed improvements that would facilitate migrations from UNE-P to UNE-L, when it is otherwise feasible to do so.

Testimony of BellSouth Witness Alfred Heartley

Q. BEGINNING ON PAGE FIVE OF MR. HEARTLEY'S TESTIMONY, HE DISCUSSES THE IMPACT OF INTEGRATED DIGITAL LOOP CARRIER ("IDLC"). PLEASE COMMENT.

² As I indicated in my rebuttal testimony on page eight and in Exhibit MDV-R1, BellSouth has resisted efforts by CLECs to have a batch process addressed in the Change Control Process.

1 A. While Mr. Heartley discusses the impact of IDLC on work loads, his information
 2 is also useful to the Commission for other reasons. He states that “based on
 3 regional estimates of 4,827 daily outside dispatches, well over 2.2 million
 4 dispatches could be required to complete the conversions and handle the growth.”
 5 Using BellSouth’s information that each IDLC cut-over (which is only one part of
 6 the hot cut process and thus the costs of the hot cut process) takes 1 hour, and
 7 multiplying that by a salary rate of approximately ***Begin Confidential [REDACTED]
 8 End Confidential*** per productive hour,” the costs to CLECs and their end-
 9 users is ***Begin Confidential [REDACTED] End Confidential***.
 10 Importantly, this figure does not include non-salary costs that CLECs would also
 11 have to bear. Critically, CLECs would be paying these millions of dollars for an
 12 activity that adds no value to the customer’s service, and in fact will likely
 13 degrade it.

14 **Volume of Hot Cuts**

15 **Q. SEVERAL OF BELL SOUTH’S WITNESSES (AINSWORTH AT PAGE**
 16 **SIXTEEN AND HEARTLEY AT PAGE FOUR) DISCUSS VOLUMES OF**
 17 **125 TO AS MANY AS 320 HOT CUTS ON A SINGLE DAY. HOW DO**
 18 **YOU RESPOND?**

19 A. It appears, that in certain central offices, for a single day, using extraordinary
 20 forcing (and likely unsustainable) methods, with their accompanying
 21 extraordinary costs, BellSouth can cut 125 lines and even up to 320 lines in a day.
 22 It is vital to note, however, that all the cut-over activity did not actually occur in
 23 one day. For example, during the PwC review, when 125 lines were “cut” per

1 day, the pre-wiring work was actually done for up to four additional days in
2 advance. (See Exhibit MDV-SR2)

3 Thus, unusually executed, occasional events, while interesting, are not
4 dispositive in a proceeding which is designed to determine whether CLECs are
5 impaired in providing day-to-day service to mass market customers. No evidence
6 was provided that this same level of volume of work (as well as the central office
7 work that must be done before the hot cuts) could be sustained on a regular basis.
8 In addition to being capable of handling large volumes of customers, the batch
9 process must also deliver seamless and low cost service. As I describe in my
10 rebuttal testimony, PwC observed numerous instances of service impacting
11 deficiencies in BellSouth's performance during the test. And, as I described
12 earlier in this testimony and in my rebuttal testimony, BellSouth is asking this
13 Commission to require CLECs to spend millions upon millions of dollars only to
14 provide consumers with worse service than they receive today via UNE-P.

15 **Testimony of BellSouth Witness Kathy Blake**

16 **Q. ON PAGE TWENTY SEVEN OF HER TESTIMONY, MS. BLAKE**
17 **DISCUSSES THE SEAMLESS NATURE OF UNE-P AND PRIMARY**
18 **INTEREXCHANGE CARRIER ("PIC") CHANGES. PLEASE**
19 **COMMENT.**

20 **A.** Ms. Blake appears to agree with AT&T and MCI that UNE-P migrations and PIC
21 changes are seamless, while hot cuts are not. Ms Blake's testimony reveals that
22 she does not maintain that hot cuts are seamless and in fact does not believe that
23 they should be seamless. This position contradicts both the FCC and other

1 BellSouth witnesses. In order to overcome impairment, the hot cut process must
2 be seamless and low-cost.

3 **Q. ON PAGE TWENTY EIGHT OF HER TESTIMONY, MS. BLAKE**
4 **STATES THAT THE FCC “FLATLY REJECTED AT&T’S ELP**
5 **PROPOSAL” AND STATED THAT THIS COMMISSION SHOULD DO**
6 **THE SAME. DO YOU AGREE?**

7 A. Absolutely not. Ms. Blake ignores the part of the TRO in which the FCC states
8 that although it declines to order Electronic Loop Provisioning (“ELP”) *at this*
9 *time*, it may reexamine AT&T’s proposal if hot cut processes are not, in fact,
10 sufficient to handle necessary volumes. TRO ¶ 419. Electronic loop provisioning
11 would be both seamless and low cost, and could handle the volumes required by
12 the mass market. AT&T is requesting that the Commission find that the ILECs’
13 hot cuts processes are insufficient, thus impairing CLECs without access to
14 unbundled switching, and to initiate another proceeding to determine whether
15 ELP would eliminate this impairment.

16 **Q. ON PAGE TWENTY-EIGHT OF HER TESTIMONY, MS. BLAKE**
17 **STATES THAT “THE QUESTION FOR THE COMMISSION IS NOT**
18 **WHETHER UNE-P IS THE SAME AS UNE-L.” DO YOU AGREE?**

19 A. No. Ms Blake is understandably choosing to ignore Paragraph 512 of the TRO
20 that states, “[s]pecifically, we ask the states to determine whether incumbent
21 LECs are providing nondiscriminatory access to unbundled loops”, which further
22 explains in footnote 1574 that “this review is necessary to ensure that customer
23 loops can be transferred from the incumbent LEC main distribution frame to a
24 competitive LEC collocation as promptly and efficiently as incumbent LECs can

1 transfer customers using unbundled local circuit switching.” Therefore, the issue
2 of whether UNE-L is the same as UNE-P is clearly critical to this proceeding.

3 **Testimony of BellSouth Witness Ronald Pate**

4 **Q. ON PAGE TWO OF HIS REBUTTAL TESTIMONY, MR. PATE**
5 **INDICATED THAT BELL SOUTH’S IMPLEMENTATION OF AT&T’S**
6 **CHANGE REQUEST FOR A BULK MIGRATION PROCESS DID MEET**
7 **AT&T’S STATED NEEDS. IS MR. PATE CORRECT?**

8 A. No, and this fact is not news to BellSouth. BellSouth has known since at least
9 mid-2002 that AT&T was dissatisfied. In BellSouth’s September 20, 2002
10 response to Ms. Denise Berger of AT&T, BellSouth stated “During our
11 conversation you indicated that the new process resulting from CR0215 would not
12 meet the needs of the internal AT&T organization. Those needs apparently have
13 prompted the request for a different new process as outlined in your August 30
14 letter.” BellSouth even suggested in the letter that AT&T submit another change
15 request. (See Exhibit MDV-SR3.)

16 **Q. PLEASE SUMMARIZE AT&T’S EXPERIENCE WITH THE**
17 **IMPLEMENTATION OF “BATCH” OR “BULK” HOT CUTS IN**
18 **BELL SOUTH.**

19 A.
20 • Well over three years ago, AT&T requested that BellSouth provide a process
21 that would accommodate both bulk ordering and provisioning of its customers
22 from UNE-P to UNE-L.

- 1 • Dissatisfied with the process BellSouth planned to implement, on August 30,
2 2002, AT&T wrote a letter to BellSouth requesting that it develop a bulk
3 conversion process. (See Exhibit MDV-5 of Van De Water Direct
4 Testimony.)
- 5 • BellSouth responded that AT&T should submit a second change request or a
6 new business request.
- 7 • AT&T submitted a new business request for a bulk conversion process, to use
8 at its option, to migrate its customers from UNE-P to UNE-L.
- 9 • BellSouth agreed that AT&T's request was feasible, but required exorbitant
10 fees (\$134.32) in addition to the usual high hot cut charges, and refused to
11 commit to a number of conversions to be implemented per day.

12 BellSouth's prices and lack of willingness to make volume commitments
13 prevented AT&T from moving forward with its new business request for bulk
14 conversions of its customers from UNE-P to UNE-L.

15 **Q. ON PAGE FOURTEEN OF HIS TESTIMONY, MR. PATE CLAIMS THAT**
16 **YOU MISCHARACTERIZED DATA BECAUSE THE NUMBERS YOU**
17 **USED TO COMPARE FLOW-THROUGH FOR UNE-P ORDERS VERSUS**
18 **UNE-L ORDERS DID NOT IN FACT REPRESENT FLOW-THROUGH.**
19 **DO YOU AGREE?**

20 A. Absolutely not. BellSouth described the percentage numbers I used from its
21 responses to Interrogatories 28 and 32 as numbers for "fully mechanized" orders.
22 Fully mechanized orders flow-through. Only fully mechanized orders flow-
23 through; manually handled orders do not. Therefore, the terms are used
24 interchangeably throughout the industry.

1 **Q. MR. PATE CRITIZED YOU FOR USING A 17.2 PERCENT FLOW-**
2 **THROUGH RATE FOR UNE-L MIGRATIONS IN YOUR ANALYSIS.**
3 **WHAT PERCENT FLOWTHROUGH DOES BELL SOUTH USE TO**
4 **CALCULATE ITS FORCING NEEDS FOR HANDLING LOOP WITH**
5 **LOCAL NUMBER PORTABILITY (“LNP”) ORDERS IN ITS LOCAL**
6 **CARRIER SERVICE CENTERS?**

7 A. BellSouth also uses a number well below those Mr. Pate reviews in this
8 testimony, 37 percent. (See Exhibit MDV-SR4)

9 **Q. GIVEN THAT THE TERM FULLY MECHANIZED DOES NOT**
10 **INCLUDE MANUALLY HANDLED, DID YOU HAVE ANY CONCERNS**
11 **ABOUT USING BELL SOUTH’S FULLY MECHANIZED**
12 **PERCENTAGES?**

13 A. When I reviewed the data, I determined that BellSouth had in fact included
14 manual LSRs in its calculation of “percent fully mechanized.” Although that
15 could only result in overstating BellSouth’s fully mechanized or flow-through
16 performance, I decided to make use of the information, as it is particularly
17 relevant for this proceeding. It is specific to migrations, while the flow-through
18 performance reports produced monthly by BellSouth also include other categories
19 of information such as feature changes and LNP stand-alone. My intent was to
20 illustrate the vast disparity in the flow-through or full mechanization of UNE-P
21 and UNE-L migration orders. The information provided by BellSouth that I used
22 in my testimony does exactly that.

23 **Q. ON PAGES EIGHT THROUGH TEN OF HIS TESTIMONY MR PATE**
24 **DISCUSSES FLOW-THROUGH PERFORMANCE. PLEASE**
25 **COMMENT.**

1 A. Mr. Pate's analysis of UNE, resale, and talk of improvement plans appear
2 intended to distract attention away from the issue I asked this Commission to
3 consider: most UNE-P migration orders are fully electronic and thus flow-
4 through BellSouth's ordering systems; most UNE-L migration orders are
5 manually created by BellSouth, and thus do not flow-through BellSouth's
6 ordering systems. Mr. Pate's chart on page ten is particularly illuminating in this
7 regard. It indicates that UNE-P LSRs comprise 78.6% of the LSR population,
8 while LNP (which includes BOTH stand-alone LNP, and UNE-L migrations with
9 LNP) comprise only 1.6%. BellSouth is asking this Commission to change the
10 way that 78.6% of customer requests are handled and have them be treated as the
11 <1.6% are treated, with abysmal flow-through performance.

12 **Q. ON PAGE TWENTY-TWO OF HIS TESTIMONY, MR. PATE**
13 **INDICATES THAT CLEC-TO-CLEC MIGRATION ISSUES ARE BEING**
14 **ADDRESSED BY A COLLABORATIVE IN FLORIDA. DO YOU**
15 **AGREE?**

16 A. Yes. BellSouth, however, is responsible for many areas of concern that are not
17 being addressed by the collaborative including:

- 18 • CLEC-to-CLEC migrations are not defined in the batch process,
- 19 • CLEC to CLEC UNE-L orders must be submitted manually,

20 *****Begin Confidential**

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]
24 [REDACTED]

***End Confidential

Testimony of BellSouth Witness Wayne Gray

Q. ON PAGES FOURTEEN AND FIFTEEN OF HIS TESTIMONY, MR. GRAY PROVIDES HIS VIEW OF BELL SOUTH'S OBLIGATION TO PROVIDE CROSS CONNECTS. PLEASE COMMENT.

A. Inexplicably, Mr. Gray insists on discussing BellSouth's view of its obligations under Section 51.323, which are not at issue, and avoids addressing its obligations under Section 51.319, which are at issue in this docket. As I discussed in my rebuttal testimony, BellSouth is obligated to provide cross connects under the TRO.

First in Paragraph 478:

Incumbent LEC Provisioning of Competitive LEC-to-Competitive LEC Cross – Connects. We further find that an incumbent LEC's failure to provide cross-connections¹⁴⁷³ between the facilities of two competitive LECs on a timely basis can also result in impairment. Competition in the absence of unbundled local circuit switching requires seamless and timely migration not only to and from the incumbent's facilities, but also to and from the facilities of other competitive carriers.¹⁴⁷⁴ Such interconnection **requires that the incumbent LEC place** cross connections between the competitive carriers' facilities in its central office on a timely basis. The incumbent's failure to do so will tend to delay competitors' entry, and thus to increase competitors' costs. We conclude that in some cases, such failure can give rise to impairment in the absence of unbundled local circuit switching.

¹⁴⁷³ **Cross-connection is the "attachment of one wire to another usually by anchoring each wire to a connecting block and then placing a third wire between them so that an electrical connection is made."** *Id.*; see also AT&T Brenner Decl. at para. 21; Z-Tel Comments, Declaration of Peggy Rubino at para. 12.

(emphasis added). Second, in Paragraph 514:

1 *Competitive LEC – to – Competitive LEC Cross Connects.* We have also
 2 determined that an incumbent LEC's **failure to provide** cross-connections
 3 between the facilities of two competitive LECs on a timely basis can result
 4 in impairment. Therefore, a state commission considering whether to find
 5 "no impairment" with regard to mass market switching must evaluate
 6 whether such delays increase requesting carriers' costs to such a degree
 7 that entry into the market is rendered uneconomic in the absence of
 8 unbundled switching. **Evidence relevant to this inquiry would include,**
 9 **for example, information regarding the incumbent's practices and**
 10 **procedures with regard to provision of cross-connects linking**
 11 **competitive carriers' facilities,** competitive LECs' complaints regarding
 12 the incumbent's past performance in this area, the incumbent LEC's
 13 response to these complaints, the **costs incurred in connection with**
 14 **deficient performance in this regard, and the degree to which those**
 15 **costs render entry into a given market uneconomic.**

16 (emphasis added). And in the TRO rules, Section 51.319 which states:

17
 18 Specifically, the state commission shall examine whether....difficulties in
 19 obtaining cross-connects in an incumbent LEC's wire center render entry
 20 uneconomic for requesting telecommunications carriers in the absence of
 21 unbundled access to local circuit switching.

22 **Q. ON PAGE FIFTEEN OF HIS TESTIMONY, MR. GRAY DESCRIBES A**
 23 **NEW FCC TARIFF OFFERING IN WHICH BELL SOUTH WILL OFFER**
 24 **TO PROVIDE CROSS CONNECTS. DOES THIS ACCESS SERVICE**
 25 **TARIFF MEET CLEC NEEDS FOR CROSS CONNECTS FOR USE IN**
 26 **THE MASS MARKET?**

27 **A.** No. As I discussed in my rebuttal testimony, BellSouth's new FCC tariffed
 28 "Special Access product" will require that the CLECs wishing to have BellSouth
 29 provide a cross connection on BellSouth's frame between a connecting facility
 30 assignment ("CFA") from one CLEC's collocation to a CFA in a second CLEC's
 31 collocation to engage in "line splitting" of a local loop (not otherwise subject to
 32 the FCC's jurisdiction) and to certify that the traffic carried on that CFA to CFA
 33 connection (a frame jumper wire) meet the FCC's de minimus (10%) interstate

1 rule. This unnecessarily subjects a non-complex Plain Old Telephone Service
2 (“POTS”) mass market line to cumbersome procedures such as certification and
3 audits, and irrelevant obligations such as the requirement that the line carry at
4 least 10% interstate traffic.³ While Mr. Gray cites, on page 15 of his testimony, to
5 the portion of the rules pursuant to section 201 of the Act, he provides no offering
6 pursuant to section 251 of the Act, which requires no such certification (and is
7 referenced in the same paragraph of the rule).

8 Further, BellSouth's new "product" cannot be ordered efficiently. UNE
9 local loops are ordered on a Local Service Request (“LSR”). When such a loop is
10 to be "split" between two CLECs, BellSouth will require that the connection
11 necessary to accomplish the "split" be ordered and provisioned out of its FCC
12 Access Tariff using an Access Service Request (“ASR”). There will be no means
13 of electronically ordering such an arrangement and the coordination, through
14 relating the LSR and ASR, that will be required to establish working services
15 (voice and ADSL) for the customer. Thus the voice CLEC must issue an LSR,
16 the data CLEC must issue an LSR, and one of the CLECs (depending on the
17 routing of the loop between the two) must issue an ASR. Manual processing will
18 be required for all three ordering documents. Such a manual and restrictive
19 process creates operational and economic barriers to providing Digital Subscriber
20 Line (“DSL”) services to mass market customers.

³ It makes no sense for BellSouth to offer cross connects via an access tariff in this mass market proceeding when it has clear responsibilities to provide cross-connects for mass markets under the TRO.

1 Further, BellSouth has assigned the exorbitant rate of \$350.00 per 2 wire
 2 circuit for this access service.⁴ In contrast, BellSouth is only permitted to charge
 3 \$12.30 for cross-connects for local service. (See Ruscilli Exhibit JAR-4)
 4 BellSouth's proposed policies and practices for this service are designed to
 5 complicate and hinder the provision of line splitting service to CLEC customers
 6 and should be rejected by this Commission.

7 **Q. ON PAGES FIFTEEN THROUGH NINETEEN OF HIS TESTIMONY,**
 8 **MR. GRAY DISCUSSES BELL SOUTH'S POLICY REGARDING THE**
 9 **USE OF MULTIPLE COMPANY CODES AND RECOMMENDS ACTION**
 10 **THAT AT&T TAKE TO ADDRESS THIS ISSUE. PLEASE COMMENT.**

11 A. On page sixteen, lines sixteen through twenty of his testimony, Mr. Gray
 12 succinctly describes the root cause of the problem I described on pages fifty-one
 13 through fifty-four of my direct testimony: "It is BellSouth's policy not to accept
 14 assignments from CLECs other than the owner of the collocation space. . . ." (Mr.
 15 Gray does not indicate how he thinks the ordering CLEC could have the
 16 assignments to provide them to BellSouth without first having obtained them
 17 from the owning CLEC). Mr. Gray goes on to say that the reason for this policy
 18 is "to protect a CLEC's assets/property," and that "BellSouth's ordering and
 19 provisioning systems contain edits that prevent unauthorized assignment of its
 20 customer's collocation assets." Incredibly, BellSouth takes this position when
 21 AT&T attempts to use its own assets that have differing codes, although it knows

⁴ The exorbitant rate and tortured procedures offered for cross connects is belied by the testimony of BellSouth witness Varner, who at page twenty-seven of his direct testimony states, "As previously stated in this testimony, the cross-connect process is a very basic procedure that BellSouth performs frequently on an ongoing basis. There is no appreciably greater difficulty involved in providing co-carrier cross-connect as compared to a cross-connect between BellSouth and a CLEC. A cross-connect is a cross-connect."

1 full well that AT&T owns the equipment and is therefore fully “authorized.”
2 Instead, it offers extremely costly and burdensome options to remove protection
3 AT&T has not requested.

4 **Q. DOES MR. GRAY ACKNOWLEDGE THAT BELL SOUTH’S POLICIES,**
5 **PRACTICES, AND SYSTEMS EFFECTIVELY PREVENT A CLEC**
6 **FROM BEING ABLE TO ORDER A LOOP FROM BELL SOUTH AND**
7 **SWITCHING FROM ANOTHER CLEC?**

8 A. Yes, he does, although it follows his initial answer of no. The net of Mr. Gray’s
9 response (on pages 17-20) is that BellSouth will permit a DS1 loop to be ordered
10 from BellSouth by one CLEC and delivered to the collocation space of another
11 CLEC, but will *not* permit a DS0 loop be ordered from BellSouth by one CLEC
12 and delivered to the collocation space of another CLEC. DS0 loops are those
13 used to serve mass market customers and accordingly they are the subject of this
14 proceeding. It is unclear why Mr. Gray felt it necessary to include enterprise
15 loops in his response.

16 **Q. PLEASE SUMMARIZE THE RELEVANCE OF THIS PROBLEM TO**
17 **THIS PROCEEDING.**

18 A. Any CLEC who wanted to order wholesale switching, should it become available,
19 to use with analog UNE loops (DS0) for mass market customers would encounter
20 the problems described in my direct testimony and the testimony of Mr. Gray.
21 These difficulties are caused solely by BellSouth’s claimed policy decision to
22 provide unwanted protection to CLECs. If BellSouth’s interest is truly to protect
23 CLECs, as well as itself, it could require that a letter of authorization between the

1 two company entities/CLECs be provided before service is provisioned.
2 BellSouth does this today for DS1 or higher level of service. It simply refused to
3 do so for DS0 service.

4 **Testimony of BellSouth Witness Eric Fogle**

5 **Q. ON PAGE FIVE OF HIS TESTIMONY, MR. FOGLE ASSERTS THAT**
6 **YOU MISCHARACTERIZED LINE SPLITTING AS UNE-P BASED.**
7 **PLEASE RESPOND.**

8 A. Based on his response, Mr. Fogle does not appear to take issue with my detailed
9 description of line splitting, only the “UNE-P based” label. Further, as he did not
10 take issue with the substance of my description, it is unclear why he believes I
11 was operating under a “misconception”.

12 **Q. DO BELL SOUTH EMPLOYEES ALSO REFER TO “UNE-P LINE**
13 **SPLITTING?**

14 A. Yes. For example, in the bracketed section of the second page of BellSouth-
15 generated meeting notes from the December 11, 2003 BST Line sharing/Line
16 Splitting Collaborative, BellSouth reports “Readily identified as high importance
17 were a) migrating *existing UNE-P with line splitting* to UNEL and retain
18 DSL...” (emphasis added) (See Exhibit MDV-SR5.)

19 **Q. ON PAGE THIRTEEN OF HIS TESTIMONY, MR. FOGLE**
20 **REFERENCES THE FACT THAT DEDICATED WIRING DOES NOT**
21 **MAKE SENSE FOR A 4% TAKE RATE OF DSL. PLEASE RESPOND.**

1 A. AT&T never indicated that it “made sense,” only that installing dedicated CLEC
2 collocation cage to CLEC collocation cage cabling was the only process available.
3 Further, it appears that Mr. Fogle does not share the same optimism as other
4 BellSouth witnesses about CLECs’ ability to attract DSL customers. For example,
5 in her testimony at Exhibit DJA-05, Dr. Aron indicates that in three years a single
6 CLEC would obtain a 15% penetration rate of the DSL market, and 25% of the
7 small business DSL market.

8 **Q. ON PAGE TWELVE OF HIS TESTIMONY, MR FOGLE SUGGESTS**
9 **THAT AT&T DISPATCH ON EVERY DSL ORDER INSTEAD OF**
10 **WIRING DEDICATED CABLING. PLEASE RESPOND.**

11 A. As I indicated in footnote 23 of my direct testimony, AT&T is aware of the
12 dispatch option, but views such an arrangement as both economically and
13 operationally infeasible. Therefore, Mr. Fogle simply offers to exchange one
14 inefficient process for another. He recommends that AT&T approach BellSouth
15 to provide technician dispatches at undefined “market” rates. However, in
16 calculating our “savings” if we do not deploy some of the equipment I described
17 in my direct testimony, he fails to provide the additional costs of the required
18 dispatches, which I assume would minimally include the \$350.00 per line charge
19 for a cross connect.

20 **Q. GIVEN THE OPERATIONAL AND ECONOMIC HURDLES OF LINE**
21 **SPLITTING USING UNE-L YOU HAVE DESCRIBED IN YOUR**
22 **TESTIMONY, WHAT DO YOU RECOMMEND?**

1 A. Those hurdles are an additional source of impairment to an already impaired
2 UNE-L process. As such, a finding that CLECs are impaired without access to
3 unbundled switching would certainly address the problems of being forced to use
4 such a process.

5 **Q. FOR ANY CASES WHERE A CLEC CHOOSES TO PROVIDE DSL VIA**
6 **UNE-L LINE-SPLITTING, HAS BELL SOUTH MET ITS OBLIGATIONS?**

7 A. No. As I described above in my response to Mr. Gray, the TRO at ¶514
8 specifically determined that “an incumbent LEC’s failure to provide cross
9 connections between the facilities of two competitive LECs on a timely basis can
10 result in impairment.” BellSouth’s “access” cross-connect is not economically or
11 operationally feasible. Further, BellSouth’s existing “Co-carrier Cross
12 Connection Arrangement” is not, in fact, a cross connection offering at all, it is
13 only BellSouth’s authorization for two CLECs to install a dedicated cable
14 between the respective collocations in the same central office.

15 **Q. ON PAGE NINETEEN OF HIS TESTIMONY, MR. FOGLE APPEARS TO**
16 **INDICATE THAT THE CLEC’S “INTEREST” IN UNE-L LINE**
17 **SPLITTING HAS BEEN LIMITED AND RECENT. IS THAT YOUR**
18 **UNDERSTANDING?**

19 A. No. A review of BellSouth’s line-splitting collaborative meeting notes indicates
20 that in the February 27, 2003 meeting, MCI agreed to provide information to the
21 group about UNE-L or loop-splitting. Further, it is clear from the attached July
22 2003 e-mails from Denise Berger of AT&T to various BellSouth employees that
23 discussions on this topic occurred in the May and June 2003 collaborative

1 meetings. Finally, the July 30, 2003 e-mail from Denise Berger asked a series of
2 questions attempting to gain information on this topic. (See Exhibit MDV-SR6.)
3 Ms. Berger received no response from Bellsouth to her July request until
4 December 19, 2003 in which her questions were still not answered, but she was
5 referred to an upcoming tariff. (See Exhibit MDV-SR7.)

6 **Q. YOU MENTIONED THAT AMONG OTHER OBSTACLES, THE USE OF**
7 **AN ASR IS REQUIRED IN BELL SOUTH'S OFFERING. DOESN'T**
8 **THAT DIFFER FROM MR. FOGLE'S TESTIMONY ON PAGE**
9 **SIXTEEN?**

10 A. Yes. Mr. Fogle says ASRs are not needed for any *currently* available
11 components needed for Line Splitting. However, the process BellSouth is
12 offering to obtain cross-connects for UNE-L line splitting does require ASRs, and
13 the effective date of the tariff is January 9, 2004.

14 **Q. ON PAGE TWENTY-TWO OF HIS TESTIMONY, MR. FOGLE**
15 **INDICATED THAT THE CLECS HAD NOT FORMALLY REQUESTED**
16 **BELL SOUTH TO BEGIN WORK ON ESTABLISHING PROCEDURES,**
17 **ETC. FOR HOT CUT MIGRATIONS TO UNE-L. PLEASE RESPOND.**

18 A. While I am unsure what sort of "formal" request BellSouth requires, I assume Mr.
19 Fogle is not insinuating that CLECs have not repeatedly communicated with
20 BellSouth on the need for a viable means of loop splitting and attempted to move
21 forward to implementation, as it is absolutely clear that is not the case. For
22 example, as I described earlier in my testimony, AT&T attempted in writing to
23 obtain more information from BellSouth in July 2003 by posing the following
24 questions:

1. How does BellSouth plan to solicit and incorporate CLEC input into the development of this capability and the subsequent offering? In which CLEC forum will this be discussed?
2. What is the timeframe for delivery of this service?
3. How does BellSouth plan to provide procedures and business rules for ordering and provisioning?
4. How does BellSouth plan to provide CLECs with information around cost/price?
5. Does BellSouth plan to provide a mechanized ordering option for CLECs? Will this interface require systems upgrades or systems work by CLECs? When does BellSouth plan to provide such information?
6. Will there be a manual ordering option for CLECs?
7. Will CLECs be able to order this functionality via a single LSR?
8. Will BellSouth require CLECs to install any special or additional collocation equipment?
9. If special equipment is required, will BellSouth offer the access to such equipment as an unbundled network element?

See Exhibit MDV-SR6. To date, BellSouth has not answered our questions nor referred us to the appropriate forum to place a “formal” request. The Commission should require that BellSouth answer these legitimate questions regarding a local service they are obligated to provide to avoid CLEC impairment, and to put in place an efficient electronic Operations Support System upgrades to allow the ordering and provisioning of this local service using the Local Service Request (LSR) process.

Q. DOES THIS CONCLUDE YOUR SURREBUTTAL TESTIMONY?

A. Yes, it does.

BellSouth Batch Options vs. AT&T Recommendation*

(*AT&T recommendation from pages 32-36 of direct testimony Mark Van de Water)

AT&T Recommendation	Ainsworth/Pate	McElroy
Include IDLC	Yes	Yes
Include UNE-L line splitting	No	??
CLEC to CLEC	Yes Few details on process.	??
Operate in conjunction with acquisition process (UNE-P)	No-embedded base only	No-embedded base only
24 hour scheduling with no overtime costs	Includes Saturday and after hours (costs?)	??
CLEC specific batches	Yes	?
Window of time specific batches—all cuts to be started and completed within window	4 hour window for coordinated Same day for end-users “account” Unclear on same day for all (See*** below.)	No. Orders will be completed in negotiated period not expected to exceed 60 or 180 days.
Sufficiently scalable to meet mass market demands	No	No
Process available on an ongoing basis	No	No
Real time electronic notification of status including order completion, e.g. Verizon’s WPTS with AT&T proposed enhancements	Web based communications system “Similar” to Verizon & SBC but for non-coordinated only. Not enough information to assess. Web based scheduling tool similar to Verizon. (Not enough information to assess). (See*** below)	??
CLECs should not have to prescreen for batch eligibility	??	??
UNE-P rate until converted	Yes	UNE-L rate when service order created
ILEC should electronically notify when batch is ready	??	No

for scheduling		
Sufficient lead time to notify customers, etc--4 days from LSR submission	No/Reduced provisioning interval from 14 to 8 days	No/no customer specific due dates provided
Ability to make changes to orders with batch due date assigned	??	No
Equivalent OSS functionality to UNE-P --Pre-Order/Order --Flowthrough --One LSR --Directory Listings	No (See***below)	BellSouth issues orders/no change from today.
Self executing process to immediately switch customers back if a cut fails (regardless of fault)	Unknown--simply refers to timely restoral/does not appear to support port in error. (See***below)	??
Low Cost	No. 10% discount	No. 15% to 25% discount.
Testing using collo-cation and sustained significant volume of ILEC customers	Inadequate testing	No testing
No negative impacts on processes and databases (part of test)	Not addressed	Not addressed
Trunking issues	Not addressed	Not addressed
Availability of copper/UDLC	Not addressed	Not addressed
CFA Inventories	Not addressed	Not addressed
Collocation issues	Not addressed	Not addressed
Exceptions to acquisition period	Not addressed	Not addressed
Double migration mitigation	Not addressed	Not addressed
Metrics	Not addressed	Not addressed
Meaningful SEEM	Not addressed	Not addressed
	Include DS0 EELs	

***AT&T's Proposed Batch Hot Cut Process
Descriptive Information

Includes all service configurations available for mass market customers, including

CLEC to CLEC
IDLC
Line-split service

The starting point for the batch is UNE-P (If CLECs are found not to be impaired in any market, UNE-P should be used as an acquisition tool)

ILEC will provide an electronic scheduling tool that advises, in increments of one hour, batch availability, e.g. 8-9 a.m. March 01, 2004-available.

Batches are CLEC specific. A batch should include a minimum of 20 lines per hour. Batches should be scheduled when NPAC is available for porting numbers. As the ILEC has no stated maximum volume, there are no other restrictions on batches within or among central offices.

To minimize the manual coordination between the ILEC and CLEC and improve response times, the batch process should include a new **system** to provide real-time electronic notification of the following work activities:

- CLEC to notify ILEC of batch, including requested due date obtained from scheduler, central office, CO and # of lines to be migrated.
- ILEC to confirm due date and provide batch ID within 1 day of receipt.
- ILEC will provide dial tone and ANI results. To facilitate CLEC tracking, these results will be provided in the order that the service orders will be worked.
- ILEC will provide jeopardies, e.g. facilities
- CLEC will indicate readiness for actual migration to occur 24 hours before due date and time (or no exception message is default concurrence).
- Frame technicians will input completion information as each cut is complete.
- CLEC will provide loop acceptance to ILEC

LSRs will be submitted by CLEC as they are today, with the addition of a batch ID code, and these orders should flow-through.

If an individual cut in a batch fails, and the number has not been ported, the ILEC should restore the service in one hour. For numbers that have been ported, the interval for restoring the customer's service should not exceed 4 hours.

If the batch process as ultimately recommended by PSC staff and approved by PSC does not have adequate measures, the FPSC should convene an industry workshop for the purpose of establishing measures.

Upon implementation of the measures, a third party test to determine if process can achieve performance standards.

AT&T recommends using ILEC retail customers in the test, using collocation equipment installed to operate as a pseudo-CLEC specifically for this test.

- 3RD party vendor designed and monitored
- PSC oversight
- sustained daily volumes for 2 weeks
- using new performance standards

--Performance measures and testing should be successfully completed before CLECs are required to use the batch process.

REQUEST: Referring to the Rebuttal Testimony of Milton McElroy, at pages 10 and 11, for each day and each central office where "test" cut-overs are described, please provide:

- (a) The date(s) pre-wiring was conducted for the cuts and how much of the pre-wiring was conducted on each date;
- (b) The number of technicians involved in the pre-wiring;
- (c) The number of technicians involved in the hot cuts; and
- (d) The number of technicians working in the central offices working simultaneously with the technicians performing the "test" pre-wiring and cuts.

RESPONSE: (a) Day 1 of Testing on December 2, 2003—West Hollywood Central Office
(total of 125 Hot Cuts)
11/28—50%, 11/29—50%

Day 2 of Testing on December 4, 2003—Arch Creek Central Office (total of 125 Hot Cuts)
11/24—25%, 11/25—25%, 11/26—25%, 11/27—25%

Day 3 of Testing on December 5, 2003—Perrine Central Office (total of 125 Hot Cuts)
12/1—12%, 12/2—24%, 12/3—24%, 12/4—40%

Day 4 of Testing on December 11, 2003—West Hollywood, Arch Creek and Perrine Central Offices (total of 383 Hot Cuts)
West Hollywood: 12/3—50%, 12/4—30%, 12/5—20%
Arch Creek: 12/4—33%, 12/5—33%, 12/8—33%
Perrine: 12/7—15%, 12/8—30%, 12/9—30%, 12/10—25%

BellSouth Interconnection Services
1960 West Exchange Place
Suite 200
Tucker, GA 30084

AT&T Regional Account Team
770-492-7550
Fax 770-492-9412

September 20, 2002

Ms. Denise Berger
AT&T
Room 12256
1200 Peachtree St. NE
Atlanta, GA 30309

Dear Denise:

This is in response to your letter of August 30, 2002, regarding AT&T's request that BellSouth adopt a new process for coordinated conversions (hot cuts) of unbundled loop service.

At the outset, your letter makes statements about the quality of BellSouth's current hot cut process performance that do not accurately reflect the level of service BellSouth provides to AT&T. BellSouth has consistently performed AT&T's hot cuts well within the established benchmark, usually 100% within 15 minutes of AT&T's requested start time. BellSouth strongly disagrees with the characterization of its current hot cut methods as "unreliable." I have attached a copy of AT&T's Local Services' Performance trend chart for On Time Installation for Hot Cuts, January through June 2002, which AT&T presented in the last monthly Executive meeting. This chart indicates that AT&T is receiving excellent service from BellSouth on its Unbundled Network Element (UNE) Loop Hot Cut conversions. Furthermore, let me remind you that the hot cut process in your Interconnection Agreement was negotiated by you personally for numerous months. BellSouth is implementing that process not only correctly, but also at extremely high service levels.

Regarding AT&T's request that BellSouth implement a bulk conversion process to migrate AT&T's end users served by Unbundled Network Element-Platform (UNE-P) to UNE Loop, as we have discussed, BellSouth is implementing a bulk conversion process as a result of AT&T's Change Request CR0215. The final user requirements were reviewed with the CLEC community on July 9, 2002. During our conversation, however, you indicated that the new process resulting from CR0215 would not meet the needs of the internal AT&T organization. Those needs apparently have prompted the request for a different new process as outlined in your August 30 letter.

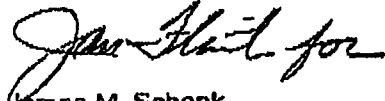
BellSouth believes that the conversion process currently in place, as a result of CR0215, will be a reliable, economical method to migrate "commercial volumes" of UNE-P customers to UNE Loops and will be mechanized for further convenience by year-end. Nevertheless, AT&T has the option of submitting another CR for the development of a second bulk hot cut process.

Possibly, a more fitting avenue for AT&T's request is BellSouth's New Business Request (NBR). If AT&T needs bulk conversions without individual Local Service Requests (LSR), after normal business hours, with project management and real-time coordination, as well as personnel available after hours to assist AT&T in resolving Connecting Facility Assignment (CFA) discrepancies and immediate service restoration when necessary, the NBR process will allow BellSouth to develop the necessary procedures and establish the market-based rates for the additional resources this proposal would require. Contrary to

AT&T's assertions that the process described will be less costly to BellSouth and, therefore, should result in lower rates for UNE Loops, it will instead add significantly to BellSouth's cost to serve. Those costs, appropriately, will be passed on to AT&T as the recipient of these services.

If we need to further discuss BellSouth's position on AT&T's request, I can be reached at 205 321-4700.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Schenk for".

James M. Schenk

Attachment

Copy to: Greg Terry

DOCKET NO. 030851-TP

In the Matter of

IMPLEMENTATION OF REQUIREMENTS
ARISING FROM FEDERAL COMMUNICATIONS
COMMISSION'S TRIENNIAL UNE REVIEW:
LOCAL CIRCUIT SWITCHING FOR MASS
MARKET CUSTOMERS.

/

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TELEPHONIC
DEPOSITION OF: KENNETH L. AINSWORTH

TAKEN AT THE
INSTANCE OF: The Staff of the Florida
 Public Service Commission

PLACE: Gerald L. Gunter Building
Room 309
2540 Shumard Oak Boulevard
Tallahassee, Florida

TIME: Commenced at 2:15 p.m.
Concluded at 7:35 p.m.

DATE: Monday, February 9, 2004

REPORTED BY: JANE FAUROT, RPR
Chief, Office of Hearing Reporter Services
FPSC Division of Commission Clerk and
Administrative Services
(850) 413-6732

1 Q Which is less than what is happening today with hot
2 cuts?

3 A Which is less than what is happening in actuality
4 today based on the loops that are being provisioned.

5 Q Okay. For the force model that you used to project
6 LCSC and CWINs staffing, what level of manual handling on
7 orders did you assume?

8 A It is built into the -- it is built into the formula.
9 It actually counts -- it actually counts into the formulas. I
10 think, for the UNE -- let me look.

11 We used a -- we used a flow-through rate for that
12 calculation and built it in. There is a lot of -- in the
13 formulas we are using, once we put the inventory numbers in,
14 went through the process, we are looking at a flow-through
15 percentage of about, for UNE loops, about 37 percent.

16 Q So you assumed that 37 percent of the orders would
17 flow through?

18 A Yes, we did.

19 Q Okay.

20 A And then there are some other calculations in there,
21 too, and I don't want to leave you thinking that is the only
22 calculation. But that is one calculation where we built in
23 those assumptions. So we are taking into consideration the
24 flow-through rates, and what we are getting down to is the
25 count of manual LSRs that would be handled in the LCSC, based

1 on our historical documentation.

2 Q So were there any other flow-through rate assumptions
3 other than that 37 percent one?

4 A Not for the UNE, no, that was the one
5 across-the-board that we are looking at on the flow-through
6 model.

7 Q Do you have a different flow-through assumption for
8 UNE loops than you have for UNE loops with LNP?

9 A I'm not looking at -- let me see. I am only looking
10 at the UNE projections, Tami.

11 Q Okay. So is that with or without local number
12 portability?

13 A No, that is the loops with the local number
14 portability.

15 Q Okay. And that was the 37 percent number?

16 A Yes, it was.

17 Q Okay. The enhanced batch process that you discussed
18 in your surrebuttal --

19 A Right.

20 Q -- when did BellSouth decide to enhance their
21 process?

22 A You are asking me for a specific date, Tami?

23 Q Well, generally.

24 A I really can't give you a specific date. We assessed
25 every one of the workshops that we went to. We put together a

BST Line Sharing/Line Splitting Collaborative
Conference Call Notes – December 11, 2003

ATTENDEES: Via Bridge

BellSouth	Al-Call	Sunshine State Tel	Covad	AT&T	MCI	Webshoppe	Network Telephone
Debbie Timmons	Greg Davis	Andrea Loncaric	John Boshier	Jay Bradbury	Amanda Hill	Craig Uptagrafft	Kyle Kopytchak
Tommy Williams	Theresa Hall		Brian Foor	Becky Webber	Sam Tenerelli		
Diann Hammond	Melissa Davis						
Jimmy Patrick							
Vivian Smith							

FROM: Debbie Timmons, Project Manager – BellSouth Telecommunications, Inc.

NOTES:

1. Welcome and Opening Remarks

Debbie Timmons opened the meeting with roll call and agenda review.

2. Review Process Flow: Facility Reservation Pair Change

Debbie Timmons lead the review of the process flow for FRN Management Process. BellSouth has proposed and the Collaborative has accepted a process change whereby when a CLEC reserves a spare loop pair, should that loop prove not viable in the field, the I&M tech will work with AFIG & SAC to identify a viable loop pair, perform the cut & work the Shared Loop service order.

The FRN Management Process Flow will be presented for baseline at the next Collaborative meeting. Refer to the attached FRN Management Process document.

3. Loop Characteristics for Shared Loops

The update to the Proposed Standards and Procedures for Line Sharing/Splitting Loop Parameters submitted November 3rd by Greg Davis of Al-Call was reviewed. Greg Davis accepted the additional language provided by Gary Tennyson of Bellsouth and stated overall agreement with and acceptance of the document as presented.

John Boshier of Covad commented the document does not establish anything, especially since the ULM process language was removed and Covad continues to experience situations where certain Bridged Tap is detrimental to Covad's shared loop service. Debbie Timmons and Tommy Williams reviewed the history of this subject, specifically citing the need to have a specification for shared loops in the TR73600 document, that shared loop products make use of the stand-alone offering Loop Modification, and that the shared loop collaborative is not the appropriate forum to discuss the Loop Modification product as CLECs not represented in this forum use the Loop Modification process, too

Kyle Kopytchak of Network Telephone stated disagreement with the position that the Shared Loop Collaborative is not the proper forum to discuss Loop Modification, citing discussions with Jerry Latham, product manager for Loop Modification, wherein it was stated that this collaborative is the appropriate forum. Tommy Williams noted the previous collaborative discussions where Loop Modification discussions were dropped from this collaborative. Refer to meeting minutes of 10/23/03, 10/30/03 and 11/13/03.

John Boshier of Covad stated changes to the Loop Modification product are underway and asked if the changes would apply to Shared Loops. Diann Hammond of BellSouth noted that Loop Modification is a stand-alone product that CLECs may choose to use in conjunction with not only Shared Loop products, but other UNE Loop products as well. Tommy Williams of BellSouth noted that any changes to the Loop Modification product would be announced via the Carrier Notification Process and that the Interconnection Standard is the vehicle that CLECs and BellSouth use to determine how we conduct business.

Kyle Kopytchak of Network Tel and John Boshier of Covad do not accept the Proposed Standards and Procedures for Line Sharing/Splitting Loop Parameters as presented. Greg Davis of Al-Call noted that one reason the Loop Modification information was removed from the proposed standards was because

BST Line Sharing/Line Splitting Collaborative

Conference Call Notes – December 11, 2003

the Shared Loop CLEC representatives could not reach agreement on Bridged Tap. CLECs agreed to review the revisions to the Loop Modification, particularly relative to bridged tap removal before they can agree to the Loop Characteristics for Shared Loops.

Refer to the attached Proposed Standards and Procedures for Line Sharing/Splitting Loop Parameters document

4. Status on Bantam Test Jacks on BST Splitters

Tommy Williams of BellSouth introduced discussion of eliminating the Bantam Test Jacks on BellSouth Splitters, noting that it has been BellSouth's desire to do so for some time as it is costly and most CLECs don't use it. He further commented that AI-Call does use the Bantam Test Jack, but that they had not used the MLT test capability of DLEC-TAFI. When this topic was last discussed, Greg Davis of AI-Call had agreed to assess the use of the MLT capability for AI-Call's environment. Greg reported that the MLT testing does not provide them with the same capability as the Bantam Test Jack, but on the other hand, he has no objection to removing it from the offering.

A vote was called on removing the Bantam Test Jack from the BST Splitter:

Yes – Greg Davis of AI-Call

Yes – John Boshier of Covad

Yes – Sam Tenerelli of MCI

Yes – Becky Webber of AT&T

Yes – Melissa Davis of AI-Call

Yes – Craig Uptagrafft of WebShope

Yes – Tommy Williams of BellSouth

Tommy Williams thanked the CLECs for their support and noted that the change would become part of the 2004 Shared Loop Work Plan.

5. Sharing to Splitting UNEL Discussion

During the previous Collaborative meeting, it was suggested that the Collaborative review the Line Splitting Scenario Matrix, suggesting that it may serve as a starting point to define the migration scenarios being sought by the CLECs. Debbie Timmons of BellSouth lead a review of the existing matrix. Tommy Williams of BellSouth stated it would be beneficial to know what scenarios are needed and the order of importance. (Readily identified as high importance were a) migrating existing UNE-P with line splitting to UNEL and retain DSL,) and b) migrating line sharing to UNEL with CLEC port and retain DSL.

It was suggested to update the Line Splitting Scenario Matrix with columns to identify the voice port provider as ILEC or CLEC. Craig Uptagrafft also requested that Remote Site migrations be included. The updated matrix will be reviewed and the next Collaborative meeting.

Sam Tenerelli of MCI introduced discussion of the migration process for Batch Hot Cut to Line Splitting recently ordered by California where the voice port is provided by the CLEC known as Loop Splitting in BellSouth. He also noted the CLECs need an originating process to order new service to establish DSL on a UNE Loop with CLEC voice port, and asked if BellSouth has any plans to develop, and if this was the proper forum for discussion. Tommy Williams of BellSouth affirmed this as the proper forum and advised the CLECs of his recent escalation seeking to understand if the TRO requires the ILEC to make the cross-connect to the second collocation space, whether new or hot cut.

Sam also introduced discussion of when two CLECs combine within the same collocation site, how loop tagging and spectrum management would be addressed. These discussions will be included on the next agenda.

Refer to the attached Line Splitting Scenario Matrix

BST Line Sharing/Line Splitting Collaborative
Conference Call Notes – December 11, 2003

6. 2004 Meeting Schedule

Debbie Timmons of BellSouth lead the discussion of the proposed 2004 meeting schedule. BellSouth is recommending the meeting move to one standing meeting day per month, while holding a second day in reserve to be used on an as needed basis. The collaborative agreed to hold the two meetings in January and to decide the matter of one or two meetings on a monthly basis.

Refer to the attached 2004 Meeting Schedule

7. New Business/New Agenda Items/Wrap-up

Tommy Williams requested 2004 Charter for the next agenda.

Brian Foor of Covad introduced new issues pertaining to Line Splitting provisioning and repairs. For provisioning, three items were noted: a) No response from LCSC and having to escalate too often, b) Due Dates being assigned incorrectly – getting due dates 1-5 days beyond the requested date, and c) the circuit ID is the telephone number. The issue with repair is that Covad is receiving push back from the Central Office and CWINS; there is a lack of knowledge of the process. This item will be monitored and status taken at the next the meeting.

❑ **Agenda Items:**

- Review FRN Process Flows
- Loop Characteristics of Shared Loop
- Line Sharing to Line Splitting UNEL Discussion
- 2004 Charter
- Status Covad's Issues on Line Splitting Provisioning & Maintenance

❑ **Attached Items:**

1. FRN Management Process Flow
2. Proposed Standards and Procedures for Line Sharing/Splitting Loop Parameters document
3. Line Splitting Scenario Matrix
4. 2004 Meeting Schedule

Collaborative Website:

http://www.interconnection.bellsouth.com/markets/lec/line_sharing_collab/

❑ **Next Meetings: Bridge: 205-968-9300 Access: 643487 Password: 6714**

Shared Loop Collaborative Conference Call – 1/15/2004, 1:30 EST

Shared Loop Collaborative Conference Call – 1/29/2004, 12:30 EST

Norris, Sharon E - LGCRP

From: Berger, Denise C - NKLAM
Sent: Wednesday, July 30, 2003 2:11 PM
To: Brewer, Lynne
Cc: Schenk, James M; Butler, Amanda (BST); Tousek, Albert; Hyche, Keith
Subject: RE: Loop Splitting Issues

July 30, 2003

L. Brewer
BellSouth Interconnection Services

Lynne:

I understand from Keith Hyche's message below that you are leading BellSouth's efforts to develop and deploy BellSouth's loop splitting offer. This was subsequent from the issue being removed from discussions at the BellSouth/CLEC DSL Collaborative.

I would still like to understand BellSouth's positions on the following questions:

1. How does BellSouth plan to solicit and incorporate CLEC input into the development of this capability and the subsequent offering? In which CLEC forum will this be discussed?
2. What is the timeframe for delivery of this service?
3. How does BellSouth plan to provide procedures and business rules for ordering and provisioning?
4. How does BellSouth plan to provide CLECs with information around cost/price?
5. Does BellSouth plan to provide a mechanized ordering option for CLECs? Will this interface require systems upgrades or systems work by CLECs? When does BellSouth plan to provide such information?
6. Will there be a manual ordering option for CLECs?
7. Will CLECs be able to order this functionality via a single LSR?
8. Will BellSouth require CLECs to install any special or additional collocation equipment?
9. If special equipment is required, will BellSouth offer the access to such equipment as an unbundled network element?

Finally, I'd like to make sure that I am aligned with BellSouth in understanding to which FCC mandate this offer responds.

Thank you for the information. If you would like to discuss further, please call me at the number below.

Denise C. Berger
Operations Assistant Vice President
AT&T Local Services
Telephone: 404/810-8644
Facsimile: 281/664-3648
E-Mail: deberger@att.com

-----Original Message-----

From: Hyche, Keith [mailto:Keith.Hyche@BellSouth.com]
Sent: Tuesday, July 29, 2003 3:41 PM
To: Berger, Denise C, CSLSM
Cc: Schenk, James M; Hyche, Keith; Butler, Amanda (BST); Tousek, Albert; Brewer, Lynne
Subject: RE: Loop Splitting Issues

Denise,

The following issue has been referred to the Collocation Development Team lead by Lynne Brewer not the Collocation User Group. I apologize for the misunderstanding. This will be mentioned Thursday, July 31st during the collaborative call lead by Al Tousek.

If you have questions about the development of this product you can contact Lynne Brewer at 404-927-7536.

Thank you!

Keith Hyché

-----Original Message-----

From: Berger, Denise C, CSLSM [mailto:deberger@att.com]
Sent: Friday, July 25, 2003 2:08 PM
To: BST-Amanda Butler (E-mail)
Cc: BST-Jim Schenk (E-mail); BST-Keith Hyché (E-mail)
Subject: Loop Splitting Issues

July 25, 2003

A. Butler
BellSouth Interconnection Services

Amanda:

I spoke with Keith regarding this issue on Tuesday afternoon. However, I'm bringing it to your attention to assist Keith in obtaining a clear and quick understanding of BellSouth's intent relative to working loop splitting issues.

Included in the May 22, 2003, DSL collaborative meeting minutes is the following:

"1. Connecting Two Collocations Update

Lynne Brewer joined the call to discuss the latest developments regarding the connecting of two collocations. Lynne reported that BellSouth has initiated the development of a tariffed product whereby BellSouth will provide a service to the CLECs to connect two collocations located in the same CO through cross connects at the frame. The rate elements are presently under study. At this time no decisions have been made regarding what recurring and/or non-recurring charges may be applicable. The target availability date is Q403."

Further the meeting minutes from the June 26, 2003, collaborative state,

* Collocation to Collocation CFA

This item will no longer be tracked in the shared loop team. This collaborative took the issue to the collocation development team, which is the responsible organization. The item is now being handled by the collocation development team and outside the control of the shared loop management team. It was suggested that those interested in following this item should join the collocation users group.

Although this is not meant to reflect harshly on Keith, but I was very confused after my discussion with him. Apparently, although the shared loop (or DSL collaborative) team believes that they have handed off the issue to the Collocation Users' group, your team is not aware of the hand-off. Somehow it fell in a black hole. Additionally, since the next Collocation Users' group meeting is not scheduled until October 14, 2003, I'm perplexed at how CLECs can participate in the development of this capability. I have numerous questions regarding BellSouth's plans.

- * How does BellSouth plan to solicit and incorporate CLEC input into the development of this capability and the subsequent offering?
- * How does BellSouth plan to provide procedures and business rules for ordering and provisioning?
- * How does BellSouth plan to provide CLECs with information around cost/price?
- * Does BellSouth plan to provide a mechanized ordering option for CLECs? Will this interface require systems upgrades or systems work by CLECs? When does BellSouth plan to provide such information?
- * Will there be a manual ordering option for CLECs?
- * Will CLECs be able to order this functionality via a single LSR?
- * Will BellSouth require CLECs to install any special or additional collocation equipment?

Additionally, Keith indicated in our conversation on Tuesday that BellSouth was working to provide this capability in response to an FCC mandate. Can you share which FCC mandate that BellSouth is addressing?

Please let me know if you have additional questions.

Denise C. Berger
 Operations Assistant Vice President
 AT&T Local Services
 Telephone: 404/810-8644
 Facsimile: 281/664-3648
 E-Mail: deberger@att.com

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FAX COVER

3 Pages (Including Cover)

DATE: January 16, 2004

TO: Ms. Denise Berger
Operations Assistant Vice President
AT&T Local Services
Phone No.: (770) 621-9136
Fax No.: (281) 664-3648

FROM: Lynne G. Brewer
Sr. Product Manager – Collocation
BellSouth Telecommunications, Inc.
Phone No.: (404) 927-7536
Fax No.: (404) 529-7074

RE: Letter re: Availability of Collo Cross-Connects

Comments: Denise,

As you requested, attached is a copy of the original letter I sent to you in regard to the availability of cross-connects between AT&T's collocation space and the collocation space of another carrier in the same central office. As I indicated in my email earlier this week, the original letter was mailed to you on December 19, 2003, but it was returned by the post office as being "undeliverable as addressed." In addition to this faxed copy, I will send you the original letter at the new address you included in your email. Again, I apologize for any inconvenience this may have caused you. Please contact me if you have any questions.

Thank you.

Lynne Brewer

BellSouth Interconnection Services
875 West Peachtree Street
Atlanta, Georgia 30376

December 19, 2003

Ms. Denise C Berger
Operations Assistant Vice President
AT&T Local Services
1200 Peachtree Street, NE
Atlanta, GA 30309

Dear Ms. Berger:

This is in response to your e-mail dated July 30, 2003, concerning what you referred to as BellSouth's loop splitting offer. Based on discussions in several BellSouth/CLEC DSL Collaborative meetings subsequent to your e-mail, BellSouth understands that the issue is the availability of cross-connects between AT&T's collocation space and the collocation space of another carrier. Although this issue was originally brought to the BellSouth/CLEC DSL Collaborative, it is a product development issue that has been addressed by the BellSouth Collocation Product Team.

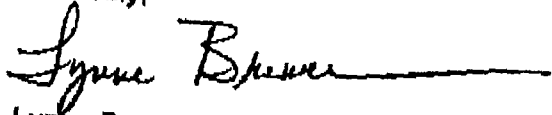
As you may already be aware, BellSouth currently allows two collocated CLECs to place co-carrier cross connects between their collocation arrangements located in the same Central Office. This offering has been available for some time and utilizes CLEC-provisioned cable placed by the CLEC's BellSouth Certified Supplier via BellSouth's cable racking assembly, if the two arrangements are not contiguous. This co-carrier cross connect offering is made available by BellSouth pursuant to the applicable language that must be included in the ordering CLEC's Interconnection Agreement. This language must also be included in the Interconnection Agreement of the other CLEC to which the co-carrier cross connect is being placed. In addition, a Letter of Authorization (LOA) is required from the other CLEC.

A similar offering called a Direct Connect is also available. This offering permits a CLEC with multiple collocation arrangements in the same Central Office to interconnect those arrangements with each other, again utilizing CLEC-provisioned cable and BellSouth's cable racking assembly.

In addition, AT&T may request a co-carrier cross connect interstate service pursuant to Section 201 of the Communications Act. Although the FCC has yet to establish a deadline for BellSouth to offer this service pursuant to tariff, BellSouth will make this service available through its Tariff FCC No. 1 in early January 2004. In this tariff filing, BellSouth will use the name "Intra-Office Cross Connects" to distinguish this interstate service from the offering available under its Interconnection Agreements described above. This will be a service provisioned by BellSouth using CLEC-provided Connecting Facility Assignment (CFA) appearances on BellSouth's frames or panels. A complete description of the service, including the rates, terms and conditions, will be included in the tariff.

I believe the questions listed in your original e-mail will be answered in the tariff filing described above, but if not, please call me at 404-927-7536 or Lue Elder at 404-927-7558.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynne Brewer", followed by a long horizontal line extending to the right.

Lynne Brewer
Sr. Product Manager – Collocation
ICS - Marketing